

REMARKS

Claims 1-23 are pending in the present Application for Patent. Claims 1-4, 6-15, and 17-20 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 5,862,132 by Blanchard et al. Claims 5, 16, and 21 stand rejected under 35 U.S.C. §103(a) as unpatentable over Blanchard in view of U.S. Patent No. 6,574,267 by Kanterakis et al.

Applicants herein respond to each and every rejection in the Office Action of July 15, 2004. Applicants herein present amendments to claims 8, 19-20 to correct minor grammatical errors and present new claims 24 - 44.

35 U.S.C. §102 Rejections

Applicants respectfully disagree with the Examiner's rejection of claims 1-4, 6-15, and 17-20 as anticipated by Blanchard. Applicants' claim 1 is reproduced herein and is given as:

1. In a wireless communication system, a method for transmitting pilot references from a plurality of transmission sources, the method comprising:
 - receiving at each transmission source one or more signals indicative of a time reference for the communication system;
 - generating at each transmission source a plurality of pilot bursts for a pilot reference, wherein the pilot bursts are in synchronization with the time reference; and
 - transmitting the plurality of pilot bursts from each transmission source.

Claim 1 recites a method for transmitting pilot bursts, wherein the pilot bursts are in synchronization with a time reference. As taught in Applicants' originally filed disclosure, the transmission of pilot bursts from the access points at the same predetermined time intervals results in maximum interference contributions from non-transmitting neighboring access points, allowing the receiving devices to easily recognize the bursts as pilot references. See Applicants' specification, page 2, line 29 to page 3, line 30.

Specifically claim 1 recites generating at each transmission source a plurality of pilot bursts for a pilot reference, wherein the pilot bursts are in synchronization with the time reference.

Blanchard does not teach a burst pilot. Blanchard teaches a system capable of data transmission in a TDM mode, wherein each transmitter is assigned a time slot during which that transmitter is allowed to transmit. The transmitters are all synchronized to a common timing reference. In this way, the receivers are able to identify the time slot associated with each transmission. While Blanchard teaches transmission of a “TDMA burst of data; i.e., message” (see Blanchard, col. 2, line 26) , Blanchard does not teach transmission of burst pilot;. While Blanchard teaches use of a timing reference to synchronize the receiver with the transmission time slots, Blanchard does not teach synchronization of pilot for multiple transmitters.

Further, Blanchard does not teach or suggest synchronization of burst pilots, which are themselves used as a reference signal. In Blanchard the purpose of the timing reference is to allow the mobile transmitters to synchronize with the receiver timing. The only teaching for synchronizations of the transmitters with each other is to implement the TDM time slots. In other words, to ensure only one transmission occurs per time period. Therefore, Blanchard does not anticipate a system transmitting burst pilots, wherein the burst pilots are synchronized.

The arguments presented with respect to claim 1 are also applicable to the other rejected claims.

35 U.S.C. §102 Rejections

To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

The Examiner has failed to make a *prima facie* case of obviousness as Blanchard does teach each and every element of the pending claims; specifically Blanchard does not teach a burst pilot.

Kanterakis does not teach a burst pilot, and therefore, the combination of Blanchard and Kanterakis does not teach or suggest all the claim limitations.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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